

RICHLAND COUNTY COUNCIL

SOUTH CAROLINA



REGULAR SESSION MINUTES

September 16, 2014
6:00 PM
County Council Chambers

In accordance with the Freedom of Information Act, a copy of the agenda was sent to radio and TV stations, newspapers, persons requesting notification, and was posted on the bulletin board located in the lobby of the County Administration Building

CALL TO ORDER

Mr. Jackson called the meeting to order at approximately 6:01 PM

INVOCATION

The Invocation was given by the Honorable Torrey Rush

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by the Honorable Torrey Rush

PRESENTATION OF RESOLUTION

Resolution Honoring Carolyn Cliett – Presentation of the resolution was deferred to a future meeting.

APPROVAL OF MINUTES

Regular Session: September 9, 2014 – Mr. Pearce moved, seconded by Mr. Washington, to approve the minutes as submitted. The vote in favor was unanimous.

ADOPTION OF THE AGENDA

Mr. Malinowski moved, seconded by Mr. Rush, to adopt the agenda as published. The vote in favor was unanimous.

REPORT OF THE ATTORNEY FOR EXECUTIVE SESSION ITEMS

Mr. Farrar stated that the following items were potential Executive Session Items:

- a. **Computer Software Maintenance**
- b. **Solid Waste Contractual Matter**

Council Members Present

Norman Jackson, Chair
Julie-Ann Dixon
Damon Jeter
Paul Livingston
Bill Malinowski
Jim Manning
Greg Pearce
Torrey Rush
Seth Rose
Kelvin E. Washington, Sr.

Others Present:

Tony McDonald
Sparty Hammett
Roxanne Ancheta
Warren Harley
Laura Saylor
Daniel Driggers
John Hixon
Dale Welch
Justine Jones
Monique Walters
Rob Perry
Brandon Madden
Beverly Harris
Nelson Lindsay
Quinton Epps
Stacy Culbreath
Will Simon
Chris Gossett
Rudy Curtis
Brad Farrar
Michelle Onley
Monique McDaniels

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- c. Personnel Matter
- d. Evaluation Committee Short-List Report: Dirt Road Paving Program: RC-Q-2014-DRP
- e. Evaluation Committee Short-List Report: On-Call Engineering Team Services: RC-Q-2014-OET

CITIZENS' INPUT

No one signed up to speak.

POINT OF PERSONAL PRIVILEGE – Mr. Manning recognized that there were 2 Winthrop students working on their Master's Degree in Social Work in the audience.

REPORT OF THE COUNTY ADMINISTRATOR

- a. **Employee Recognition: Will Simon – Board of Directors, SC American Public Works Association** – Mr. McDonald stated that Mr. Simon had been appointed to the SC American Public Works Association Board of Directors.
- b. **Countywide Watershed Improvement Plan – Stakeholder Task Group** – Mr. McDonald introduced Mr. Wayne Iseman and Ms. Pat Noble to Council.

Mr. Iseman stated that Brown & Caldwell was selected to conduct a County-wide Watershed Improvement Plan. With the assistance of P. J. Noble & Associates, Mr. Iseman is to develop a stakeholder task group. Council was requested to help identify the “key” stakeholders. The recommendations should be submitted by September 26th to the Clerk of Council's Office.

- c. **Transportation Penny Project Ranking List** – Mr. McDonald stated that the Transportation Penny Project Ranking list was on each Council member's desk and will be discussed at the Transportation Ad Hoc Committee meeting on Thursday, September 18th.

REPORT OF THE CLERK OF COUNCIL

- a. **Proposed Retreat Dates** – Ms. McDaniels stated that the proposed dates for the Council Retreat are January 22-23 or January 29-30.

Mr. Manning moved, seconded by Ms. Dixon, to hold the Council Retreat on January 22-23, 2015.

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- b. **Proposed Retreat Locations** – Ms. McDaniels stated that the following locations were proposed for the Council Retreat: Riverbanks Zoo, Wampee Conference Center, Clemson: Sandhills Research & Education Center, and Parklane Adult Activity Center.

Mr. Malinowski moved to hold the Council Retreat at Riverbanks Zoo.

Ms. Dixon moved to hold the Council Retreat at the Sandhills Research & Education Center.

Mr. Manning made a substitute motion, seconded by Mr. Jeter, to hold the Council Retreat at the Wampee Conference Center.

There were 2 votes for the Riverbanks Zoo.

There were 6 votes for Wampee Conference Center

There were 3 votes for Sandhills Research & Education Center.

The 2015 Council Retreat will be held at Wampee Conference Center.

Mr. Washington moved, seconded by Mr. Jackson, to reconsider the vote on the Council Retreat items. The motion failed.

- c. **Columbia NAACP Branch 28th Membership Appreciation Celebration for \$2,000** – Mr. Washington moved, seconded Mr. Jackson, to support the event. The funds are to come out of the Council Services Account. The vote in favor was unanimous.

Mr. Washington moved, seconded by Mr. Jackson, to reconsider this item. The motion failed.

- d. **Columbia Urban League 47th Annual Fund Campaign and Equal Opportunity Day Dinner for \$2,000** – Mr. Pearce moved, seconded by Mr. Washington, to support the event. The vote in favor was unanimous.

Mr. Washington moved, seconded by Mr. Jackson, to reconsider this item. The motion failed.

REPORT OF THE CHAIRMAN

- a. **Personnel Matter** – This item was taken up in Executive Session.

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PRESENTATION

South Carolina Pro Am League: Cary Rich, Commissioner – Mr. Rich thanked Council for their support and presented Mr. Jackson with a plaque of appreciation.

PUBLIC HEARINGS

- Resolution in support of the issuance by the South Carolina Jobs-Economic Development Authority of its revenue bonds or notes (Bishop of Charleston) in one more series and in one or more years, pursuant to the provisions of Title 41, Chapter 43, of the Code of Laws of South Carolina 1976, as amended, in the aggregate principal amount of not exceeding \$25,000,000 – No one signed up to speak.
- An Ordinance Authorizing, pursuant to Title 12, Chapter 44, South Carolina Code of Laws, 1976, as amended, the execution and delivery of a fee agreement between Richland County, South Carolina, the Ritedose Corporation, a corporation organized and existing under the laws of the State of Delaware, and TRC Propco, Inc., a corporation organized and existing under the laws of the State of Delaware (“Companies”) concerning a new project; authorizing and providing with respect to an existing project for the convenience of an arrangement for fee-in-lieu of tax payments between Richland County and the companies under Title 4, Chapter 12, South Carolina Code of Laws, 1976, as amended; and matters relating thereto – No one signed up to speak.

APPROVAL OF CONSENT ITEMS

- An Ordinance Authorizing pursuant to Title 4, Chapter 1, Section 170; Title 4, Chapter 1, Section 175; and Title 4, Chapter 29, Section 68 of the Code of Laws of South Carolina, 1976, as amended, the execution and delivery of an amendment to a Special Source Revenue Credit Agreement between Richland County, South Carolina and WNS Global Services Inc.; and matters relating thereto [THIRD READING]
- Ordinance Authorizing an Amendment to the Master Agreement governing the I-77 Corridor Regional Industrial Park by and between Fairfield County, South Carolina and Richland County, South Carolina, in order to expand the boundaries of the park to include certain property located in Fairfield County (Enor Corporation SC, LLC), and other matters related thereto [SECOND READING]

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Mr. Washington moved, seconded by Mr. Rush, to approve the consent items. The vote in favor was unanimous.

THIRD READING ITEM

An Ordinance Authorizing, pursuant to Title 12, Chapter 44, South Carolina Code of Laws, 1976, as amended, the execution and delivery of a fee agreement between Richland County, South Carolina, the Ritedose Corporation, a corporation organized and existing under the laws of the State of Delaware, and TRC Propco, Inc., a corporation organized and existing under the laws of the State of Delaware ("Companies") concerning a new project; authorizing and providing with respect to an existing project for the conversion of an arrangement for fee-in-lieu of tax payments between Richland County and the companies under Title 4, Chapter 12, South Carolina Code of Laws, 1976, as amended to an arrangement under Title 12, Chapter 44, South Carolina Code of Laws, 1976, as amended; and matters relating thereto – Mr. Manning moved, seconded by Ms. Dixon, to approve this item. A discussion regarding the inclusion of the quit claim deed took place.

The vote was in favor was unanimous.

SECOND READING ITEM

An Ordinance Amending the Richland County Code of Ordinances, Chapter 2, Administration; Article X, Purchasing; Division 7, Small Local Business Enterprise Procurement Requirements; so as to require a business to be established in the County at least one year before certification application – Mr. Malinowski requested the definition of a "significant presence". Ms. Jones stated that "significant presence" is defined as: (a) 25% or more of a firm's employees reside in the County; or (b) 50% or more of a firm's sales or customers are generated in the County.

Mr. Malinowski moved, seconded by Mr. Pearce, to approve this item. The vote in favor was unanimous.

REPORT OF ECONOMIC DEVELOPMENT COMMITTEE

Resolution in support of the issuance by the South Carolina Jobs-Economic Development Authority of its revenue bonds or notes (Bishop of Charleston) in one or more series and in one or more years, pursuant to the provisions of Title 41, Chapter 43, of the Code of Laws of South Carolina 1976, as amended, in the aggregate principal amount of not exceeding \$25,000,000 – Mr. Livingston stated that the committee recommended approval of this item. The vote in favor was unanimous.

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Authorizing the expansion of the boundaries of the I-77 Corridor Regional Industrial Park jointly developed with Fairfield County to include certain real property located in Richland County; the execution and delivery of a Credit Agreement to provide for Special Source Revenue credits to a company identified for the time being as Project Peak; and other related matters – Mr. Livingston stated that the committee recommended approval of this item. The vote in favor was unanimous.

REPORT OF RULES AND APPOINTMENTS COMMITTEE

Mr. Malinowski stated there was no report.

Mr. Malinowski moved, seconded by Mr. Pearce, to reconsider the agenda to take up the Report of Rules and Appointments Committee. The vote in favor was unanimous.

I. NOTIFICATION OF VACANCIES

- a. **Airport Commission – 1** – Mr. Malinowski moved, seconded by Ms. Dixon, to advertising the vacancy on the Airport Commission. The vote in favor was unanimous.

REPORT OF THE RICHLAND COUNTY OFFICE OF SMALL BUSINESS OPPORTUNITY AD HOC COMMITTEE

- a. **Mission Statement** – Mr. Jackson stated that the committee recommended approval of the following mission statement: “The Richland County Office of Small Business Opportunity is committed to promoting, growing, building capacity and providing resources to its small business through an inclusive, diverse and supportive business environment.”
- b. **Establishment of Divisions**
 1. **An Ordinance Amending the Richland County Code of Ordinances, Chapter 2, Administration; Article X, Purchasing; Division 7, Small Local Business Enterprise Procurement Requirements; so as to change overall management of the program to the Office of Small Business Opportunity; and Amending Chapter 2, Administration; Article V; County Departments; Division 5A, Office of Small Business Opportunity; so as to create two divisions within the department [FIRST READING]** – Mr. Washington moved, seconded by Mr. Jackson, to approve this item. The vote in favor was unanimous.

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2. **SLBE Division** – Mr. Livingston moved, seconded by Mr. Manning, to defer this item back to committee for further discussion. The vote in favor was unanimous.
3. **Business Development Division** – Mr. Livingston moved, seconded by Mr. Manning, to defer this item back to committee for further discussion. The vote in favor was unanimous.
4. **Future Division(s) [DBE, MWBE, etc.]** – Mr. Livingston moved, seconded by Mr. Manning, to defer this item back to committee for further discussion. The vote in favor was unanimous.

c. Technical Assistance Program

1. **Mentor Protégé Program** – Mr. Livingston moved, seconded by Mr. Manning, to defer this item back to committee for further discussion. The vote in favor was unanimous.
2. **Access to Financial Capital Program** – Mr. Livingston moved, seconded by Mr. Manning, to defer this item back to committee for further discussion. The vote in favor was unanimous.

OTHER ITEMS

Evaluation Committee Short-List Report: Dirt Road Paving Program: RC-Q-2014-DRP – This item was taken up in Executive Session.

Evaluation Committee Short-List Report: On-Call Engineering Team Services: RC-Q-2014-OET – This item was taken up in Executive Session.

CITIZENS' INPUT

Ms. Helen Taylor Bradley spoke to Council regarding an email received from Chairman Jackson.

EXECUTIVE SESSION

Council went into Executive Session at approximately 6:42 p.m.
and came out at approximately 7:22 p.m.

- a. **Computer Software Maintenance** – No action was taken.
- b. **Solid Waste Contractual Matter** – No action was taken.

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- c. **Personnel Matter** – No action was taken.
- d. **Evaluation Committee Short-List Report: Dirt Road Paving Program: RC-Q-2014-DRP** – Mr. Livingston moved, seconded by Ms. Dixon, to accept the following (3) Short-Listed Firms: Dennis Corporation; Infrastructure Consulting & Engineering; and Mead & Hunt. The vote in favor was unanimous.
- e. **Evaluation Committee Short-List Report: On-Call Engineering Team Services: RC-Q-2014-OET** – Ms. Dixon moved, seconded by Mr. Malinowski, to accept the following (8) Short-Listed Firms: CECS; Cox & Dinkins, Inc.; Holt Consulting Company, LLC; ICE; Mead & Hunt; Parrish & Partners, LLC; STV; and URS. The vote in favor was unanimous.

Mr. Pearce moved, seconded by Mr. Malinowski, to hold a work session to discuss the dirt road and on-call engineering team short-listed firms on September 22nd at 3:30 PM. The vote was in favor.

MOTION PERIOD

- a. **Resolution in support of Palmetto Health's "2014 Women at Heart Forum and Exhibition"** [JACKSON] – Mr. Pearce moved, seconded by Mr. Rush, to adopt a resolution in support of Palmetto Health's "2014 Women at Heart Forum and Exhibition". The vote in favor was unanimous.
- b. **Council review why varying boards have varying terms and consider if terms should be consistent** [DIXON, MALINOWSKI AND MANNING] – This item was referred to the Rules & Appointments Committee.
- c. **Resolution declaring October as "National Community Planning Month"** – Mr. Pearce moved, seconded Mr. Malinowski, to adopt a resolution declaring October as "National Community Planning Month". The vote in favor was unanimous.
- d. **Move that developers must release or turnover control of the Homeowners Association and fees to property owners when the subdivision reaches 70% build out** [JACKSON] – This item was referred to the D&S Committee.
- e. **Any bid from a Richland County business that is within a 10% difference should have the opportunity to alter their bid for the advertised contract** [JACKSON] – This item was referred to the A&F Committee.

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- f. **Explore impact fees and State law on areas of future development and how it relates to Richland County** [JACKSON] – This item was referred to the D&S Committee
- g. **To explore and develop a “Preservation Land Management Plan”. This program will help protect rural family land against urban sprawl and development, preserve the unique cultural heritage of Lower Richland communities, sustain Lower Richland diverse ecosystem, increase land value and income through sustainable forestry and agro-forestry management, and engage under-represented groups in land use dialogue and in the value of land stewardship** [WASHINGTON AND JACKSON] – This item was referred to the D&S Committee.

ADJOURNMENT

The meeting adjourned at approximately 7:35 PM.

Norman Jackson, Chair

Joyce Dickerson, Vice-Chair

Julie-Ann Dixon

Damon Jeter

Paul Livingston

Bill Malinowski

Jim Manning

Greg Pearce

Seth Rose

Torrey Rush

Kelvin E. Washington, Sr.

The Minutes were transcribed by Michelle M. Onley, Deputy Clerk of Council